IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24927 of 2004

Between:

1 Tallluru Pentaiah, S/o. Ramulu,
R/o. Srinivasapuram Village, Jangareddygudem Mandal, West Godavari District.
2 Yerra Samuel, S/o. Late Yesobu,
R/o. Srinivasapuram Village, Jangareddygudem Mandal, West Godavari District.

..... PETITIONERS

AND

Director of Settlement and Land Records Government of Andhra Pradesh, Gagan Vihar, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate writ or direction declaring the action of the respondent in not issuing the certified copy of the orders passed Assistant Settlement Officer, Eluru passed in S.R.11(9)33/67 GG dated 31-8-1967, Settlement Officer, Visakhapatnam passed in R.P.No.57/67 dated 31-5-1968 and Director of Settlement, Hyderabad passed in R.P.No. 347/1968 dated 21-6-1974 as illegal arbitrary and consequently direct the respondent to furnish the same on payment of necessary charges.

Counsel for the Petitioners: MR.O.MANOHER REDDY

Counsel for the Respondent.: GP FOR REVENUE

The Court at the admission stage made the following :

THE HONOURABLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.24927 OF 2004

ORDER:

Heard both sides and with their consent, the writ petition is disposed of at the stage of admission.

This writ petition is filed seeking a mandamus declaring the action of the respondent in not issuing the certified copy of the orders passed by the Assistant Settlement Officer, Eluru in S.R.11(9)33/67 GG dated 31.8.1967, the orders passed by the Settlement Officer, Vishakapatnam in R.P.No.57/67 dated 31.5.1968 and the orders passed by the Director of Settlement, Hyderabad in R.P.No.347/1968 dated 21.6.1974 as arbitrary and illegal.

The facts in brief are that the petitioners are in possession and enjoyment of the property situated in R.No.361/8 and 361/9 admeasuring an extent of Ac.4.00 and Ac.3.93 cents at Jangareddigudem village of West Godavari district for the past 30 years. While so, one Ravi Subba Rao filed an application before the Joint Collector seeking mutation of their names in the revenue records on the ground that a patta has been granted in favour of their father by the then Assistant Settlement Officer vide proceedings in SR.11(a)33/67 GG dated 30.8.1967. It is stated that the petitioners made an application to the respondent herein for issuance of certified copy of the orders dated 30.8.1967, 31.5.1968 and 21.6.1974 passed by the Assistant Settlement Officer, Settlement Officer and the Director of Settlement

respectively. The grievance of the petitioner that the respondent has returned the said application on the ground that the petitioners were not parties before either of the officers who passed the said orders.

It is the case of the petitioners that they are in possession of the property for the past 30 years, but the third party is claiming title over the said property and as such they are seeking certified copies of the said orders. It is their further case that the orders passed by the said authorities are public documents and therefore, the respondent is under obligation to furnish the certified copies of the said orders.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the respondent to issue the certified copy of the orders sought for by the petitioners, as the same are not confidential documents. Petitioners shall make application in this regard, enclosing copy of this order, alongwith necessary fee.

The writ petition is disposed of with the above observation. No costs.

SD/- P.V.RADHAKRISHNA RAO

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. Director of Settlement and Land Records, Government of Andhra Pradesh, Gagan Vihar, Hyderabad.

2. Two C.Cs to G.P.for Revenue, high Court of A.P., Hyderabad (OUT)

3. Two C.D.copies.

P.M.

Dated: 31-12-2004

ORDER

WP.NO. 24927 OF 2004

Disposing of the WP

Without costs.